

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2018-348-T - ORDER NO. 2019-110
FEBRUARY 21, 2019

IN RE: Petition of the Office of Regulatory Staff to)	ORDER REVOKING
Revoke Certificates of Public Convenience)	CERTIFICATES
and Necessity of Certain Motor Carriers for)	
Failure to File Annual Reports and/or Gross)	
Receipts 2018)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) under the authority of S.C. Code Ann. §§ 58-23-10 *et seq.* and 58-4-10 *et seq.* on the Petition of the Office of Regulatory Staff (“ORS”) to revoke the Certificates of Public Convenience and Necessity (“Certificate”) of certain motor carriers for failure to file annual reports and gross receipts (“Petition”). Exhibit A to ORS’s Petition contains the initial list of those motor carriers who failed to file annual reports at the time the Petition was filed on November 2, 2018. Exhibit B to the Petition contains the initial list of those motor carriers who failed to file gross receipts at the time the Petition was filed. A hearing on these matters was conducted in the offices of the Commission on January 30, 2019.

Annual Reports are required by 10 S.C. Code Ann. Regs. 103-231. Pursuant to this regulation, motor carriers operating under a Certificate are required to file annual reports for the preceding year by March 31. Under S.C. Code Ann. § 58-4-55, ORS may require the production of books, records, and other information under its authority. Further, pursuant to S.C. Code Ann. § 58-4-10, ORS is charged with the duty to represent

the public interest before the Commission. In summary, ORS has the authority to enforce collection of annual reports.

In addition, gross receipt filings also fall under ORS's authority for the production of records. Pursuant to S.C. Code Ann. §§ 58-3-100, 58-3-540, and 58-4-60, gross receipts records are collected by ORS and used by the South Carolina Department of Revenue to assess public utilities under the Commission's jurisdiction. According to the Petition, gross receipts were due to ORS by August 31, 2018.

At the hearing, ORS was represented by Lessie Hammonds, Esquire, with ORS Specialist Thomas McGill providing testimony. Mr. McGill testified that certain carriers certificated by the Commission remained out of compliance for not having filed annual reports and gross receipts. In support of McGill's position, ORS provided a list of those carriers who remained out of compliance with the annual report requirements as Revised Exhibit A¹ and for those carriers who remained out of compliance with the gross receipts requirements as Revised Exhibit B.² He testified that ORS notified these carriers of their non-compliance. However, none of the carriers appeared at the hearing.

The Commission finds that ORS's Petition against those carriers who were initially included on Petition Exhibits A and B, but who are now in compliance with annual report and gross receipts requirements at the time of the hearing, as shown by their absence on ORS Revised Exhibits A and B, should be dismissed. The Commission also finds that the Certificates of those carriers who remained out of compliance with annual report and gross receipts requirements at the time of the hearing, as indicated by Revised

¹ Hearing Exhibit 4.

² Hearing Exhibit 5.

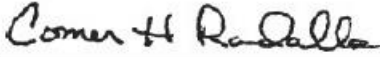
Exhibits A and B, should be revoked and cancelled under the authority of S.C. Code Ann. § 58-23-320 and 10 S.C. Code Ann. Regs. 103-240.

IT IS THEREFORE ORDERED:

The Certificates of Public Convenience and Necessity held by those non-complying motor carriers in the lists submitted at the hearing as Revised Exhibits A and B, which are attached to this Order as Order Exhibit 1, are revoked and cancelled. All operating rights of these carriers are null and void. Additionally, ORS's Petition against those carriers who are now in compliance is dismissed.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Comer H. "Randy" Randall, Chairman

ATTEST:

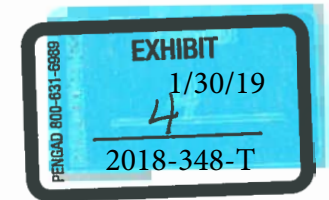

Jocelyn Boyd, Chief Clerk/Administrator

Order Exhibit 1
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Exhibit A-Revised
Docket No. 2018-348-T
Carriers Out of Compliance for Failure to File Annual Reports 2018

January 30, 2019

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Docket #	Order #	Date Certified	Secretary of State Standing
1	Professional Moving Service, LLC		HHG	814 Dupont Rd #1	Charleston	SC	29407	2015-118 T	2015 511	8/18/2015	Good Standing



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Exhibit B- Revised
Docket No. 2018-348-T
Carriers Out of Compliance for Failure to File Gross Receipts 2018
January 30, 2019

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Docket #	Order #	Date Certified	Secretary of State Standing
1	Professional Moving Service, LLC		HHG	814 Dupont Rd #10	Charleston	SC	29407	2015-118-T	2015-511	8/18/2015	Good Standing

